



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

*Am*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,877	08/26/2002	Dai-Shui Ho	IACP0016USA	6178

27765 7590 05/16/2005

NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)  
P.O. BOX 506  
MERRIFIELD, VA 22116

EXAMINER
----------

BATURAY, ALICIA

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/064,877

Applicant(s)

HO ET AL.

Examiner

Alicia Baturay

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2002.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-28 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 26 August 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-28 are pending.

#### ***Drawings***

2. The drawings are not of sufficient quality to permit examination because they appear too light in color, especially Fig. 3. Accordingly, replacement drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to this Office action. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit replacement drawing sheets will result in ABANDONMENT of the application.

#### ***Specification***

3. The disclosure is objected to because of the following informalities: on page 1, paragraph 4, Applicant states "With an arrival of a knowledge and information age..." It is suggested that Applicant change this to read "With *the* arrival of *the* knowledge and information age..." Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Eaton et al. (U.S. 2003/0101343).
6. With respect to claim 1, Eaton discloses a system for realizing multi-party chat through message reception and transmission in a handheld device over a network (Eaton, page 6, paragraph 44), the system comprising: a message chat settings module for setting up information of a caller and a receiver (Eaton, page 3, paragraph 27); a message transmission/reception module for transmitting and receiving messages (Eaton, Fig. 6, elements 96 and 98; page 6, paragraphs 43-45 and page 8, paragraph 58); a message entry display module for displaying messages and inputting messages (Eaton, Fig. 6, element 108; page 7, paragraph 53); and a message filtering module for determining whether a message corresponds to the receiver (Eaton, page 3, paragraph 26).
7. With respect to claims 2 and 10, Eaton discloses the invention substantially including the system where the handheld device is capable of receiving and transmitting signals (Eaton, page 6, paragraphs 42 and 43; page 8, paragraph 58).

8. With respect to claims 3 and 11, Eaton discloses the invention substantially including the system where the handheld device is a personal digital assistant, a mobile phone, or a smart phone (Eaton, page 6, paragraph 42).
9. With respect to claims 4 and 8, Eaton discloses the invention substantially including the system where the network is a wired network or a wireless network, and the messages are sent and received through a communications protocol (Eaton, page 6, paragraph 44).
10. With respect to claims 5 and 9, Eaton discloses the invention substantially including the system where the communications protocol is a wireless application protocol, a general packet radio services, a code-division multiple access, or a hypertext transfer protocol (Eaton, page 10, paragraph 77).
11. With respect to claim 6, 17, 19, and 28, Eaton discloses the invention substantially including the system where message input is accomplished through a keyboard, a digital touchpad, or a speech recognition system (Eaton, page 14, paragraph 97).
12. With respect to claim 7, Eaton discloses a method of realizing multi-party chat through message transmission and reception over a network, for use in a handheld device (Eaton, page 6, paragraph 44), the method comprising: entering a message chat program; setting up

information of a caller and a receiver; and transferring messages between the caller and the receiver (Eaton, page 17, paragraph 107).

13. With respect to claims 12 and 23, Eaton discloses the invention substantially including the method where setting up the caller and receiver information comprises: setting up a caller information; setting up a receiver information; and completing setup of the caller and receiver information (Eaton, page 17, paragraph 107).

14. With respect to claims 13 and 24, Eaton discloses the invention substantially including the method where the caller information comprises a nickname and a text color (Eaton, page 1, paragraph 6).

15. With respect to claims 14 and 25, Eaton discloses the invention substantially including the method where the receiver information comprises a phone number, a text color, and an appointed receiver field (Eaton, page 1, paragraphs 6 and 9).

16. With respect to claims 15 and 26, Eaton discloses the invention substantially including the method where selecting the appointed receiver field provides chat with the receiver (Eaton, page 1, paragraph 8).

17. With respect to claim 16, Eaton discloses the invention substantially including the method further comprising: entering a message chat history display; calling the receiver; completing

a message through an input method and sending the message; waiting for the receiver to send a message and initiate chat; sending a message to the receiver; storing the message in the handheld device; and displaying the message on the chat history display (Eaton, page 13, paragraph 94).

18. With respect to claim 18, Eaton discloses a system for realizing multi-party chat through message transfer over a short message system of a mobile phone through a wireless mobile network (Eaton, page 6, paragraph 42), the system comprising: a message chat settings module for setting information of a caller and a receiver (Eaton, page 3, paragraph 27); a message transmission/reception module for sending and receiving messages (Eaton, Fig. 6, elements 96 and 98; page 6, paragraphs 43-45 and page 8, paragraph 58); a message entry display module for displaying messages and inputting messages (Eaton, Fig. 6, element 108; page 7, paragraph 53); a message chat history information bank for storing and retrieving a chat message history (Eaton, page 4, paragraph 33); and a message filtering module for determining whether a message corresponds to the receiver (Eaton, page 3, paragraph 26).

19. With respect to claim 20, Eaton discloses the invention substantially including the system where the message chat history information bank stores at least one chat message (Eaton, page 4, paragraph 33).

20. With respect to claim 21, Eaton discloses the invention substantially including the system where the chat message comprises a nickname, a phone number, a timestamp, and a text content field (Eaton, page 4, paragraph 33).
21. With respect to claim 22, Eaton discloses a method of realizing multi-party chat through message transfer over a short message system of a mobile phone through a wireless mobile network (Eaton, page 6, paragraph 44), the method comprising: entering a chat program; setting up information of chat parties; and transferring messages between the chat parties (Eaton, page 17, paragraph 107).
22. With respect to claim 27, Eaton discloses the invention substantially including the method further comprising: entering a message chat history display; calling the receiver; completing a message through an input method and sending the message; waiting for the receiver to send a message and initiate chat; sending a message to the receiver; storing the message to the handheld device; displaying the message to the chat history display; and storing the message as chat history (Eaton, page 13, paragraph 94).



Art Unit: 2155

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay  
May 5, 2005

  
**BHARAT BAROT**  
**PRIMARY EXAMINER**